

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WISCONSIN

ESTATE OF RYLAN AISLEE
KOOPMEINERS, et al.,

Plaintiffs,

and

Case No. 14-CV-1115

BLUE CROSS BLUE SHIELD OF
WISCONSIN, et al.,

Involuntary Plaintiffs,

v.

SARAH GUMM, et al.,

Defendants.

AFFIDAVIT OF JOSH JOHANNINGMEIER

STATE OF WISCONSIN)
) ss.
DANE COUNTY)

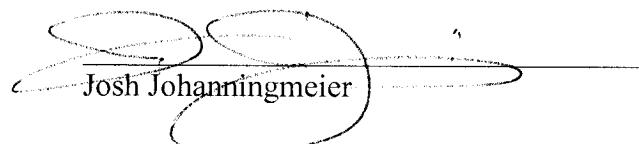
Josh Johanningmeier, being first duly sworn upon oath, states as follows:

1. I am one of the attorneys for Defendant Care.com in this action.
2. This action is awaiting trial, and pursuant to the Scheduling Order entered in this case, all discovery must be completed by December 9, 2016.
3. Defendant Sarah Gumm (“Gumm”) is now confined in Logan Correctional Center at 1096 1350th Street, Lincoln, Illinois, 62656, pursuant to her sentence in Lake County Illinois Case No. 12CF2232. According to the Illinois Department of Corrections, Gumm’s projected discharge date is August 3, 2038.
4. The testimony of Gumm by deposition on oral examination before trial is material and necessary. As set forth in the Complaint, this case arises out of Plaintiffs’ membership on

Care.com's website, through which Plaintiffs located Defendant Gumm. Plaintiffs employed Gumm to babysit their infant, who allegedly suffered fatal injuries while in Gumm's care. Plaintiffs' claims against Care.com allege that Care.com was negligent and made misrepresentations about Gumm's suitability to provide child care. In its defenses, Care.com disputes Plaintiffs' claims, and asserts that it specifically disclaimed any duties or warranties beyond those set forth in the Terms of Use Plaintiffs agreed to when becoming a member of Care.com's website. Care.com further asserts that any alleged misrepresentations were made by Gumm, and not by Care.com.

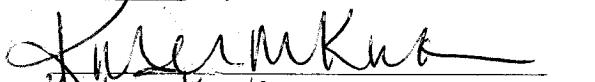
5. Based on discovery conducted to date, Care.com has reason to believe that Gumm has relevant, non-privileged information about the facts and circumstances alleged in Plaintiffs' Complaint and Care.com's defenses thereto. Upon information and belief, Gumm may be the only witness with knowledge of some of these facts and circumstances.

Dated this 10th day of June, 2016.



Josh Johanningmeier

Subscribed and sworn to before me
this 10th day of June, 2016.



Fisher M. Kaut
Fisher M. Kaut, Notary Public
Dane County, Wisconsin
My Commission expires 8/14/2016

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